

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WI-LAN INC., §
§
Plaintiff, §
v. § Civil Action No. 2:11-CV-68
§
HTC CORPORATION, HTC AMERICA, § JURY TRIAL REQUESTED
INC., and EXEDEA, INC., §
§
Defendants. §

AGREED MOTION TO AMEND DOCKET CONTROL ORDER

Plaintiff Wi-LAN Inc. and Defendants HTC CORPORATION, HTC AMERICA, INC., and EXEDEA, INC., jointly file this agreed motion to amend the Docket Control Order and ask the Court to enter the attached proposed Order. Consistent with the prior motion on the issue, Defendants have reduced the terms further and the parties are working together to agree on certain constructions, reduce the number of disputed terms, and crystallize the construction issues for the Court. To provide additional time for the parties to perfect their proposed constructions and work through these issues, the parties have agreed to extend the date in which the parties will formally exchange their proposed constructions on the remaining terms/phrases to October 5, 2012.

Accordingly, the parties request that the following deadlines be extended as follows:

Action	Current Deadline	Proposed Extended Deadline
Comply with P.R. 4-2 - Exchange of Preliminary Claim Constructions and Extrinsic Evidence.	October 1, 2012	October 5, 2012

Dated: September 28, 2012

McKOOL SMITH P.C.

/s/ Sam Baxter

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ATTORNEYS FOR PLAINTIFF WI-LAN INC

Dated: September 28, 2012

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**ATTORNEYS FOR DEFENDANTS HTC
CORPORATION, HTC AMERICA, INC., and
EXEDEA, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of September, 2012, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Sam Baxter

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff Wi-LAN Inc. and counsel for Defendants have conferred regarding the forgoing motion, and are in agreement.

/s/ Sam Baxter
